

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DANIEL RANIERI,

Plaintiff,

v.

WARDEN DAVID BYRNE, et al.,

Defendants.

CIVIL ACTION
NO. 16-2686

ORDER

AND NOW, this 4th day of January 2017, upon consideration of Plaintiff's Complaint (Doc. No. 3), Defendants' Motion to Dismiss Plaintiff's Complaint (Doc. No. 13), Plaintiff's Responses to Defendants' Motion to Dismiss (Doc. Nos. 14-16), Defendants' Supplemental Motion (Doc. No. 25), Plaintiff's Responses (Doc. Nos. 26-27), the arguments of the parties at the October 5, 2016 hearing, Plaintiff's Motion for Pro Bono Counsel (Doc. No. 29), and in accordance with the Court's Opinion issued this day, it is **ORDERED** that:

1. Defendants' Motion to Dismiss Plaintiff's Complaint (Doc. No. 13) is **GRANTED**;
2. Plaintiff's Motion for Pro Bono Counsel (Doc. No. 29) is **DENIED**¹; and
3. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.

¹ Plaintiff has pending in this case a Motion for Appointment of Pro Bono Counsel. (Doc. No. 29.) Because his Complaint is being dismissed for failure to state a claim, and any attempt to amend the Complaint would be futile, the Motion for Appointment of Pro Bono Counsel (Doc. No. 29) will be denied.